

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL SEMIAN,

Plaintiff,

v.

DEPARTMENT OF MILITARY AND
VETERANS' AFFAIRS – GINO J.
MERLI VETERANS CENTER,

Defendant.

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: 3:17-CV-1183
: (JUDGE MARIANI)
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ORDER

AND NOW, THIS 28th DAY OF FEBRUARY 2020, upon consideration of the
parties' proposed voir dire questions (Docs. 74, 74-1, 82), IT IS HEREBY ORDERED

THAT:

1. The parties may ask the following questions and any necessary follow-up questions to the extent they are not already covered by the Court's voir dire.
2. PLAINTIFF
 - a. Plaintiff may ask proposed voir dire questions 1, 2(a)-(d), 2(f), 2(j), 2(n)-(q), 3, 4, 6(a)-(c), 7, 8(a)-(d), 8(f)-(g), 9, 10(c)-(e), 11(a)-(b), 13, 15, 16(b)-(c), 17, 19(b), 19(d), 20, 23, 24.

b. Plaintiff may ask the following questions in the revised form indicated below:

- 2(g) – Do you have any moral beliefs about citizens who are gay or lesbian?
- 2(h) – Have you received any instruction on the morality of gay and lesbian relationships?
- 2(k) – Do you have any feelings toward anyone who is lesbian, gay, or bisexual which would cause you to judge a member of the group differently than you would judge a heterosexual person?
- 2(m) – How much employment discrimination do you believe exists today in Pennsylvania against people due to their sexual orientation?
- 2(r) - Do you have any feelings about lesbian, gay, or bisexual persons based on your moral or personal beliefs?
- 8(e) - Have you or a family member ever been arrested? If so, raise your hand and we would like to ask you some questions at sidebar?
- 12 - This case centers upon the October 2015 termination of employment of Michael Semian from his position as

Commandant at the Gino Merli Veterans Center in Scranton.

Plaintiff submits he was terminated because of his sexual orientation

The Defendant has denied this claim.

- 16(a) - Is there anyone who has is sympathetic toward or is against Mr. Semian prior to hearing any evidence in the case?
- c. Plaintiff may not ask proposed voir dire questions 2(e), 2(i), 2(l), 2(s), 5(a)-(b), 6(d)-(e), 10(a)-(b), 11(c), 14(a), 18(a)-(b), 19(a), 19(c), 21(a)-(b), 22(a).

3. DEFENDANT

- a. Defendant may ask proposed voir dire questions 1-11. However, Defendant shall omit references to "close friend" in voir dire questions 1-4, and 6.
- b. Defendant may ask the following supplemental questions derived from Defendant's Proposed Juror Questionnaire (Doc.74-1):
 - Have you or a member of your family ever been fired or laid off?
 - Have you or a member of your family ever worked in the military?
 - Have you or a member of your family ever worked in a nursing home?

- Have you or a member of your family ever owned a business or been self-employed?
- Have you or a member of your family ever been accused of discrimination?
- Have you or a member of your family ever filed an internal grievance with an employer?
- Have you or a member of your family ever filed a worker's compensation claim?
- Have you or a member of your family ever filed a grievance with a union?
- Have you or a member of your family ever filed a charge with the EEOC/FEP?
- Have you or a member of your family ever been involved in an employment dispute?

4. Any additional questions by either party, other than necessary follow-up, may only be asked with approval of the Court.



Robert D. Mariani
United States District Judge